

PREET BHARARA

United States Attorney for the
Southern District of New York

BY: JEFFREY S. OESTERICH
REBECCA S. TINIO
CHRISTOPHER B. HARWOOD
CALEB HAYES-DEATS
DOMINIKA TARCZYNSKA

Assistant United States Attorneys
86 Chambers Street, Third Floor
New York, New York 10007
Telephone No. (212) 637-2800
Facsimile No. (212) 637-2730
Jeffrey.Oestericher@usdoj.gov
Rebecca.Tinio@usdoj.gov
Christopher.Harwood@usdoj.gov
Caleb.Hayes-Deats@usdoj.gov
Dominika.Tarczynska@usdoj.gov

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

-against-

WELLS FARGO BANK, N.A. AND
KURT LOFRANO,

Defendants.

12 Civ. 7527 (JMF)(JCF)

**NOTICE OF MOTION OF THE
UNITED STATES OF AMERICA
TO REOPEN FACT DISCOVERY FOR
A LIMITED PURPOSE AND TO COMPEL
THE PRODUCTION OF DOCUMENTS
FROM DEFENDANT WELLS FARGO
BANK, N.A.**

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Rebecca S. Tinio and the exhibits appended thereto, the accompanying Memorandum of Law, and all prior papers and proceedings herein, plaintiff the United States of America will move this Court, before the Honorable Jesse M. Furman, at the United States Courthouse, 40 Foley Square, Courtroom 1105, New York, New York 10007, at a date and time to be determined by the Court, for an order granting its motion to: (1) reopen fact discovery for the limited purpose of taking discovery concerning Defendant Kurt Lofrano's assertion of the advice of counsel defense, and (2) compel

Defendant Wells Fargo Bank, N.A. to produce documents concerning legal advice rendered relating to its self-reporting policy, pursuant to Federal Rule of Civil Procedure 37, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated May 18, 2015, opposition papers must be served on or before June 2, 2015, and reply papers must be served on or before June 8, 2015.

Dated: New York, New York
May 26, 2015

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for the United States of America

By: s/ Jeffrey S. Oestericher
JEFFREY S. OESTERICHER
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